

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

|   |  |
|---|--|
| <b>In Re:</b>                                 | ) <b>Case No. 19-42825-399</b>                 |
|   | ) <b>Chapter 13 <u>Mtn. 34</u></b>             |
| <b>Mark Peter Spies</b>                       | )  |
|   | ) <b>Motion for Relief from the Automatic</b>  |
|   | ) <b>Stay</b>                                  |
| <b>Debtor,</b>                                | )  |
| <hr/>   | ) <b>Motion Waives 30 Day Hearing</b>          |
|   | )  |
|   | ) <b>Hearing Date: November 6, 2019</b>        |
| <b>US Bank Trust National Association, as</b> | ) <b>Hearing Time: 10:30 a.m.</b>              |
| <b>Trustee of Bungalow Series F Trust</b>     | ) <b>Hearing Location: 5 North Courtroom</b>   |
|   | ) <b>of the United States Bankruptcy Court</b> |
| <b>Movant.</b>                                | ) <b>for the Eastern District of Missouri</b>  |

**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY**

COMES NOW US Bank Trust National Association, as Trustee of Bungalow Series F Trust, its subsidiaries, affiliates, predecessors in interest, successors, and assigns ("Movant"), by and through counsel, on its Motion for Relief from Automatic Stay (Document #34) on the following described property:

**LOT 29 IN BLOCK 5 OF MCDERMOTT AND HAYDEN'S HILDESHEIM, AND  
IN BLOCK 5339 OF THE CITY OF ST. LOUIS, FRONTING 30 FEET ON THE  
SOUTH LINE OF BLOW TREE, BY A DEPTH SOUTHWARDLY OF 110 FEET  
TO AN ALLEY.**

The above described property is also known as 4958 Blow Street, Saint Louis, Missouri 63109 ("Property").


**IT IS ORDERED** that Movant its subsidiaries, affiliates, predecessors in interest, successors, and assigns are hereby granted relief from the automatic stay on the above-described Property and that Movant, and its successors and assigns, may exercise any and all rights provided under non-bankruptcy law including to immediately foreclose its security interest in Debtors' real estate as referenced above pursuant to the terms and provisions of its deed of trust and in accordance with the laws of Missouri, and for such purposes the stay of 11 U.S.C. Section 362 is hereby terminated. The recoverability of any applicable fees and costs associated with this motion shall be determined with the underlying agreement and non-bankruptcy law.

**IT IS FURTHER ORDERED** that The Chapter 13 Trustee is directed to discontinue payment on all claims secured by the property against which relief from the automatic stay is granted in this Order. The Trustee is directed to resume payment on such claims on notification pursuant to L.B.R. 3021-1A.

**IT IS FURTHER ORDERED** that this Court finds that Rule 4001(a)(3) is waived or inapplicable and that the Movant shall be allowed to immediately pursue its above referenced remedies.

**IT IS FURTHER ORDERED** that Movant its subsidiaries, affiliates, predecessors in interest, successors, and assigns are hereby authorized to, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout and to contact the Debtors via telephone or written correspondences to offer such an agreement, which shall be non-recourse unless included in a reaffirmation agreement.

DATED: November 5, 2019  
St. Louis, Missouri  
trul

  
Barry S. Schermer  
United States Bankruptcy Judge

Prepared and submitted by:

MARINOSCI LAW GROUP, P.C.

/s/David V. Noyce  
David V. Noyce #56116MO  
11111 Nall Avenue, Suite 104  
Leawood, KS 66211  
dnoyce@mlg-defaultlaw.com  
Phone: (913) 800-2021  
Fax: (913) 257-5223  
ATTORNEY FOR MOVANT

*copies to:*

Mark Peter Spies  
4958 Blow St  
Saint Louis, MO 63109  
Debtor

Jack Justin Adams  
Sean C. Paul  
The Law Offices of Sean C. Paul, PC  
8122 Gravois Rd  
St. Louis, MO 63123  
Attorney for Debtor

Diana S. Daugherty  
PO Box 430908  
St. Louis, MO 63143  
Bankruptcy Trustee

Office of the U.S. Trustee  
111 S. Tenth Street, Suite 6353  
St. Louis, MO 63102